

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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USCA Docket Number:

USDC Docket Number : 03-cr-10377

United States of America

v.

Eric Lino

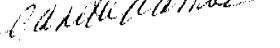
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**CLERK'S CERTIFICATE**

I, Sarah A Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 5/2/05.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on May 4, 2005.

Sarah A. Thornton, Clerk of Court

By:   
Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 5/19/05

  
Deputy Clerk, US Court of Appeals

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Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: \_\_\_\_\_

[cv: apprec.] [cr: kapprec.]

APPEAL, CLOSED

**United States District Court  
District of Massachusetts (Boston)  
CRIMINAL DOCKET FOR CASE #: 1:03-cr-10377-WGY-ALL**

Case title: USA v. Lino

Date Filed: 12/12/2003

Assigned to: Chief Judge  
William G. Young

**Defendant**

**Eric Lino (1)**  
*TERMINATED: 04/26/2005*

represented by **Barry P. Wilson**  
Barry P. Wilson Law Offices  
240 Commercial Street  
Suite 5A  
Boston, MA 02109  
U.S.A  
617-248-8979  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE*  
*NOTICED*  
*Designation: Retained*

**Pending Counts**

21:846 CONSPIRACY TO  
DISTRIBUTE Cocaine  
(1)

**Disposition**

The defendant is committed  
to the custody of the BOP for  
144 months on each of counts  
1s and 2s, the sentence on  
each count to run concurrent

21:846 CONSPIRACY TO  
DISTRIBUTE COCAINE  
(1s)

one count with the other and  
concurrent with the state  
sentence now being served, to  
be followed by a term of  
Supervised Release of 8  
years, with Special  
Conditions. No fine. Special  
Assessment of \$200.

21:841 (a)(1) Distribution of  
Cocaine  
(2)

The defendant is committed  
to the custody of the BOP for  
144 months on each of counts  
1s and 2s, the sentence on  
each count to run concurrent  
one count with the other and  
concurrent with the state  
sentence now being served, to  
be followed by a term of  
Supervised Release of 8  
years, with Special  
Conditions. No fine. Special  
Assessment of \$200.

21:841(a)(1) Distribution of  
Cocaine  
(2s)

**Highest Offense Level**  
**(Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level**  
**(Terminated)**

None

**Complaints**

None

**Disposition****Plaintiff****USA**represented by **David G. Tobin**United States Attorneys  
Office

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*LEAD ATTORNEY**ATTORNEY TO BE**NOTICED***Peter K. Levitt**United States Attorney's  
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*TERMINATED: 05/25/2004**LEAD ATTORNEY**ATTORNEY TO BE**NOTICED*

Date Filed	#	Docket Text
12/11/2003	<u>1</u>	INDICTMENT as to Eric Lino (1) count(s) 1, 2. (Gawlik, Cathy) (Entered: 12/12/2003)
12/12/2003		Arrest Warrant Issued as to Eric Lino. (Gawlik, Cathy) (Entered: 12/12/2003)
12/12/2003		Judge William G. Young : ORDER entered ORDER REFERRING CASE to Magistrate Judge Lawrence P. Cohen Reason for referral: Arraignment and Bail ONLY as to Eric Lino (Gawlik, Cathy) (Entered: 12/12/2003)
12/15/2003	<u>2</u>	Writ of Habeas Corpus ad Prosequendum Issued as to Eric Lino for 12/22/2003 (Cohen, Lawrence) (Entered: 12/15/2003)
12/15/2003		Set/Reset Hearings as to Eric Lino : Arraignment set for 12/22/2003 02:00 PM in Courtroom 23 before Magistrate Judge Lawrence P. Cohen. (Spada, Joseph) (Entered: 12/15/2003)
12/15/2003	<u>3</u>	Petition for Writ of Habeas Corpus ad prosequendum as to Eric Lino by USA. (Cohen, Lawrence) (Entered: 12/15/2003)
12/22/2003		electronic Clerk's Notes for proceedings held before Judge Lawrence P. Cohen :Arraignment as to Eric Lino (1) Count 1,2 held on 12/22/2003, Initial Appearance as to Eric Lino held on 12/22/2003; Peter Levitt for the Govt.; September Brown for Pretrial; Cornelious Kane for the Deft. for this proceeding only; files notice of appearance in open court; Counsel informs court that Barry Wilson will be filing a notice of appearance to represent the deft for all other proceedings; Deft. informed of charges, rights and right to counsel; I.A.D. waiver addressed; Govt. does move for detention and a detainer to be lodged;court to defer detention hearing at this time until defendant is

		to be released from state custody; Deft. waives reading of the indictment; Deft. pleads not guilty to all counts; District Court to schedule initial status conference. This court to issue initial scheduling order; discovery requests to be filed by 2/4/04 with responses due by 2/16/04; court will also issue an order for excludable time from December 22, 2003 to and concluding January 19, 2004. Deft. remanded to the custody of the U.S. Marshals. (Tape #digital.) (Saccoccio, Dianalynn) (Entered: 12/22/2003)
12/22/2003	04	Judge Lawrence P. Cohen : ORDER entered INITIAL SCHEDULING ORDER as to Eric Lino; case to be returned to Judge Young for further proceedings (Cohen, Lawrence) (Entered: 12/22/2003)
12/22/2003	05	Judge Lawrence P. Cohen : ORDER entered ORDER ON EXCLUDABLE DELAY as to Eric Lino Time excluded from 12/22/2003 until 1/19/2004. (Cohen, Lawrence) (Entered: 12/22/2003)
12/22/2003	06	Judge Lawrence P. Cohen : ORDER ON BAIL entered as to Eric Lino; If state authorities seek the surrender of the defendant to their custody, upon presentation of appropriate warrants or other documents authorizing the same, bail herein shall be set at personal recognizance pending delivery of the defendant to the appropriate officers of the Commonwealth by the United States Marshal for this District. Immediately upon the surrender of the defendant herein to the appropriate officers of the Commonwealth as set forth in Paragraph 1 immediately above, bail is set at \$500,000 with surety, and the United States Marshal for this District shall cause a detainer to be filed and lodged against the defendant at his place of confinement. In the event that the defendant shall be released from state custody prior to the completion of the proceedings in this case, the defendant shall be brought before this court for

		further proceedings consistent with the provisions of the Bail Reform Act of 1984. (Cohen, Lawrence) (Entered: 12/22/2003)
12/22/2003	<u>7</u>	INFORMATION TO ESTABLISH PRIOR CONVICTION as to Eric Lino (Bell, Marie) (Entered: 12/22/2003)
12/29/2003	<u>8</u>	Judge William G. Young : ORDER entered SCHEDULING ORDER as to Eric Lino Initial Scheduling Conference set for 2/2/2004 02:00 PM before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 12/29/2003)
01/07/2004		Case as to Eric Lino no longer referred to Magistrate Judge Lawrence P. Cohen. (Irwin, Nancy) (Entered: 01/07/2004)
01/21/2004	<u>9</u>	NOTICE re automatic disclosure as to Eric Lino (Bell, Marie) (Entered: 01/29/2004)
01/30/2004	<u>10</u>	Arrest Warrant Returned Executed on 12/27/03. as to Eric Lino. (Bell, Marie) (Entered: 02/03/2004)
05/25/2004	<u>11</u>	NOTICE OF HEARING as to Eric Lino Scheduling Conference set for 6/2/2004 02:00 PM before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 05/25/2004)
05/25/2004		Attorney update in case as to Eric Lino. Attorney David G. Tobin for USA added. Attorney Peter K. Levitt terminated. (Smith, Bonnie) (Entered: 05/25/2004)
06/02/2004		ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young :Scheduling Conference as to Eric Lino held on 6/2/2004 Final Pretrial Conference set for 9/20/2004 02:00 PM in Courtroom 18 before Chief Judge William G. Young. Jury Trial set for 9/27/2004 09:00 AM in Courtroom 18 before Chief Judge William G. Young.

		Government is to make disclosures by 9/20/04. The Court issues Order of Excludable delay. The court orders the time between 12/22/03-6/2/04 excluded in the interest of justice. The Court further orders the time between 6/2/04 and 9/27/04 excluded in the interest of justice.(Court Reporter WOMACK.) (Smith, Bonnie) (Entered: 06/03/2004)
06/02/2004	<u>12</u>	NOTICE OF ATTORNEY APPEARANCE: Barry Wilson appearing for Eric Lino (Bell, Marie) (Entered: 06/03/2004)
06/02/2004	<u>13</u>	JOINT MOTION for Excludable Delay from 12/22/03 to 6/2/04 as to Eric Lino by USA. (Bell, Marie) (Entered: 06/03/2004)
06/02/2004		Judge William G. Young : ELECTRONIC ORDER entered granting <u>13</u> Motion to Exclude Delay as to Eric Lino (1) (Bell, Marie) (Entered: 06/03/2004)
06/02/2004	<u>14</u>	Judge William G. Young : ORDER ON EXCLUDABLE DELAY entered as to Eric Lino Time excluded from 12/22/03 until 6/2/04. cc/cl. (Bell, Marie) (Entered: 06/03/2004)
06/03/2004	<u>15</u>	Judge William G. Young : SCHEDULING ORDER entered as to Eric Lino Tentative Jury Trial set for 9/27/2004 09:00 AM in Courtroom 18 before Chief Judge William G. Young. Final Pretrial Conference set for 9/20/2004 02:00 PM in Courtroom 18 before Chief Judge William G. Young. The time between 6/2/04 and 9/27/04 is excluded in the interest of justice. cc/cl. (Bell, Marie) (Entered: 06/03/2004)
08/23/2004	<u>16</u>	MOTION for Leave to File Substantive and/or Evidentiary Motions until Three (3) Weeks before Trial Pending Production of Discoveryas to Eric Lino. c/s . (Bell, Marie) (Entered: 08/23/2004)
09/09/2004		Judge William G. Young : ELECTRONIC ORDER entered granting <u>16</u> Motion for Leave to File as to Eric



		Lino (1). cc/cl. (Bell, Marie) (Entered: 09/09/2004)
09/14/2004	<u>17</u>	Joint MOTION to Continue <i>Trial</i> as to Eric Lino by USA, Eric Lino. (Tobin, David) (Entered: 09/14/2004)
09/14/2004		Judge William G. Young : ORDER entered ORDER ON EXCLUDABLE DELAY as to Eric Lino Time excluded from 9/14/04 until 11/15/04. (Smith, Bonnie) (Entered: 10/19/2004)
09/15/2004		Judge William G. Young : ELECTRONIC ORDER entered granting <u>17</u> Motion to Continue Trial as to Eric Lino (1). cc/cl. (Bell, Marie) (Entered: 09/16/2004)
10/20/2004	<u>18</u>	STATUS REPORT by USA, Eric Lino as to Eric Lino (Smith, Bonnie) (Entered: 10/21/2004)
10/20/2004		ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young :Pretrial Conference as to Eric Lino held on 10/20/2004 Jury Trial set for Nov. 15, 2004. Pretrial Order to issue.Defendant requests an extension to 10/29/04 to file substantive motions. Court grants request. (Court Reporter WOMACK.) (Smith, Bonnie) (Entered: 10/21/2004)
10/21/2004	<u>19</u>	Judge William G. Young : ORDER entered PRETRIAL ORDER as to Eric Lino Time excluded from 10/20/04 until 11/15/04. Jury Trial set for 11/15/2004 09:00 AM before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 10/21/2004)
10/26/2004	<u>20</u>	Letter (non-motion) regarding Discovery as to Eric Lino (Tobin, David) (Entered: 10/26/2004)
10/28/2004	<u>21</u>	SUPERSEDING INDICTMENT as to Eric Lino (1) count(s) 1s, 2s. (Gawlik, Cathy) (Entered: 10/29/2004)
10/28/2004	<u>22</u>	Judge William G. Young : ORDER entered ORDER REFERRING CASE to Magistrate Judge Lawrence P. Cohen Reason for referral: Arraignment and Bail ONLY as to Superseding Indictment as to Eric Lino

		(Gawlik, Cathy) (Entered: 10/29/2004)
10/29/2004	●	Set arraignment date on superseding Indictment as to Eric Lino : Arraignment set for 11/8/2004 11:00 AM in Courtroom 23 before Magistrate Judge Lawrence P. Cohen. (Simeone, Maria) (Entered: 10/29/2004)
10/29/2004	●23	NOTICE OF ARRAIGNMENT as to Eric Lino Arraignment set for 11/8/2004 11:00 AM in Courtroom 23 before Magistrate Judge Lawrence P. Cohen. (Simeone, Maria) (Entered: 10/29/2004)
11/02/2004	●24	Letter (non-motion) regarding Discovery as to Eric Lino (Tobin, David) (Entered: 11/02/2004)
11/02/2004	●25	Return receipt received for mail sent to Barry Wilson Delivered on 11/1/04 as to Eric Lino (Simeone, Maria) (Entered: 11/02/2004)
11/03/2004	●26	Writ of Habeas Corpus ad Prosequendum Issued as to Eric Lino for November 8, 2004 (Simeone, Maria) (Entered: 11/04/2004)
11/08/2004	●27	EXHIBIT/WITNESS LIST by USA as to Eric Lino (Tobin, David) (Entered: 11/08/2004)
11/08/2004	●	electronic Clerk's Notes for proceedings held before Judge Lawrence P. Cohen :Arraignment as to Eric Lino (1) Count 1s,2s held on 11/8/2004,Dave Tobin for Govt; Barry Wilson for deft; Plea entered by Eric Lino Not Guilty on all counts. (Court Reporter digital.) (Simeone, Maria) (Entered: 11/08/2004)
11/10/2004	●28	NOTICE of Government's Intent to Introduce Evidence by USA as to Eric Lino (Attachments: # 1 Exhibit Transcript of Call Between Lino and Rodrigues# 2 Exhibit Transcript of Call Between Lino and Rose)(Weinreb, William) (Entered: 11/10/2004)
11/12/2004	●29	EXHIBIT/WITNESS LIST by USA as to Eric Lino (Tobin, David) (Entered: 11/12/2004)

11/12/2004	<u>30</u>	Letter (non-motion) regarding Witness List as to Eric Lino (Tobin, David) (Entered: 11/12/2004)
11/12/2004	<u>31</u>	Letter (non-motion) regarding Witness List as to Eric Lino (Tobin, David) (Entered: 11/12/2004)
11/12/2004	<u>32</u>	EXHIBIT/WITNESS LIST by USA as to Eric Lino (Tobin, David) (Entered: 11/12/2004)
11/12/2004	<u>33</u>	EX PARTE MOTION as to Eric Lino by USA. SEALED DOCUMENT(Bell, Marie) (Entered: 11/15/2004)
11/12/2004	<u>46</u>	MOTION in Limine to Preclude any references to the dft's incarceration status as to Eric Lino . (Smith, Bonnie) (Entered: 12/10/2004)
11/12/2004	<u>47</u>	MOTION For Suggested Questions to the Jury as to Eric Lino . (Smith, Bonnie) (Entered: 12/10/2004)
11/12/2004	<u>48</u>	MOTION in Limine to preclude the introduction of checks received by the dft from Baptiste Masonryas to Eric Lino . (Smith, Bonnie) (Entered: 12/10/2004)
11/12/2004	<u>49</u>	MOTION in Limine to preclude any references of the names of alleged drug dealers as to Eric Lino . (Smith, Bonnie) (Entered: 12/10/2004)
11/12/2004	<u>50</u>	MOTION in Limine to preclude evidence relating to matters that occurred outside the timeframe of the superseding indictment as to Eric Lino . (Smith, Bonnie) (Entered: 12/10/2004)
11/12/2004	<u>51</u>	MOTION for leave to conduct voir dire of prosecution's opening statement as to Eric Lino . (Smith, Bonnie) (Entered: 12/10/2004)
11/12/2004	<u>52</u>	MOTION in Limine to preclude the testimony of witnesses whose names were not provided in conformity with the pretrial order as to Eric Lino . (Smith, Bonnie) (Entered: 12/10/2004)
11/15/2004	<u>  </u>	Judge William G. Young : ELECTRONIC ORDER

		entered Granting Document #34 Motion To Seal as to Eric Lino. cc/cl. (Bell, Marie) (Entered: 11/15/2004)
11/15/2004	<u>35</u>	Letter (non-motion) regarding Witnesses as to Eric Lino (Tobin, David) (Entered: 11/15/2004)
11/15/2004	<u>36</u>	EXHIBIT/WITNESS LIST by USA as to Eric Lino (Tobin, David) (Entered: 11/15/2004)
11/15/2004	•	Judge William G. Young : ELECTRONIC ORDER entered granting [33] EX PARTE Motion as to Eric Lino (1). cc: David Tobin. SEALED DOCUMENT. (Bell, Marie) (Entered: 11/15/2004)
11/15/2004	<u>37</u>	MOTION in Limine as to Eric Lino . c/s.(Bell, Marie) (Entered: 11/16/2004)
11/15/2004	•	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young : JURY TRIAL DAY ONE Voir Dire begun on 11/15/2004 Eric Lino (1) on Count 1s,2s Jury of 14 selected. (Court Reporter WOMACK.) (Smith, Bonnie) (Entered: 11/16/2004)
11/15/2004	•	Judge William G. Young :ELECTRONIC ORDER entered as to Eric Lino re <u>37</u> MOTION in Limine filed by Eric Lino. MOTION ALLOWED AS TO THE FACT OF THE ARREST BUT OTHERWISE DENIED WITHOUT PREJUDICE TO ITS RENEWAL DURING THE COURSE OF THE TRIAL. cc/cl. (Bell, Marie) (Entered: 11/16/2004)
11/15/2004	<u>43</u>	Proposed Jury Instructions and For Charging Conference by Eric Lino (Bell, Marie) (Entered: 12/01/2004)
11/15/2004	•	Judge William G. Young : ELECTRONIC ORDER entered denying <u>46</u> Motion in Limine as to Eric Lino (1); granting in part and denying in part <u>47</u> Motion For Suggested Questions to the Jury as to Eric Lino (1); granting <u>48</u> Motion in Limine as to Eric Lino (1); granting <u>49</u> Motion in Limine as to Eric Lino (1);

		granting <u>50</u> Motion in Limine as to Eric Lino (1); denying <u>51</u> Motion for Leave to Conduct Voire Dire of the Prosecution's Opening Statement as to Eric Lino (1); granting in part and denying in part <u>52</u> Motion in Limine as to Eric Lino (1) (Bell, Marie) (Entered: 12/13/2004)
11/16/2004	●	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young :Jury Trial Day 2 as to Eric Lino held on 11/16/2004 Jury Sworn. Court gives pretrial charge. Opening remarks by Government and Defendant. Government evidence commences. (Court Reporter WOMACK.) (Smith, Bonnie) (Entered: 11/16/2004)
11/17/2004	●	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young :Jury Trial DAY 3 as to Eric Lino held on 11/17/2004 Govt's evidence continues (Court Reporter WOMACK.) (Smith, Bonnie) Modified on 11/18/2004 (Smith, Bonnie). (Entered: 11/18/2004)
11/18/2004	●	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young :Jury Trial DAY 4 as to Eric Lino held on 11/18/2004 Govt evidence continues (Court Reporter WOMACK.) (Smith, Bonnie) (Entered: 11/18/2004)
11/23/2004	●	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young :Jury Trial DAY 5 as to Eric Lino held on 11/23/2004 Govt. evidence continues. Govt Rests. Dft orally moves for Directed Verdict. Motion allowed in part, deneid in part. Charge conference held. Closing arguments by Govt., by Deft., Rebuttal by Govt. Court charges the jury as to the law. Jury commences deliberations. Jury question asked and answered. Jury returns a verdict of Guilty on counts 1,2. Sentencing set for 2/28/05 at 2PM. Procedural Order re; Sentencing issues. (Court



		Reporter WOMACK.) (Smith, Bonnie) (Entered: 11/24/2004)
11/23/2004	38	EXHIBIT/WITNESS LIST by Eric Lino (Smith, Bonnie) (Entered: 11/24/2004)
11/23/2004	39	JURY VERDICT as to Eric Lino (1) Guilty on Count 1s,2s. (Smith, Bonnie) (Entered: 11/24/2004)
11/24/2004	40	Judge William G. Young : ORDER entered PROCEDURAL ORDER re sentencing hearing as to Eric Lino Sentencing set for 2/28/2005 02:00 PM in Courtroom 18 before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 11/24/2004)
11/24/2004	41	MOTION for Order <i>providing notice and setting deadlines for compliance with procedural requirements of 21 USC 851</i> as to Eric Lino by USA. (Weinreb, William) (Entered: 11/24/2004)
11/29/2004	42	NOTICE OF HEARING ON MOTION as to Eric Lino Motion Hearing set for 12/16/2004 02:00 PM in Courtroom 18 before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 11/29/2004)
12/01/2004	44	MOTION for Extension of Time to 1/21/05 to File Motion for a New Trial as to Eric Lino. c/s . (Bell, Marie) (Entered: 12/02/2004)
12/03/2004		Judge William G. Young : ELECTRONIC ORDER entered granting 44 Motion for Extension of Time to File Motion for New Trial as to Eric Lino (1). cc/cl. (Bell, Marie) (Entered: 12/07/2004)
12/09/2004	45	NOTICE OF HEARING ON MOTION as to Eric Lino Motion Hearing on Government's Motion re: 21 USC Section 851 reset for 1/13/2005 02:00 PM in Courtroom 18 before Chief Judge William G. Young. The hearing will take place at Boston College Law School, 885 Centre St., East Wing, Rm. 115, Newton, MA cc/cl(Smith, Bonnie) (Entered: 12/09/2004)

12/14/2004	•	Case as to Eric Lino no longer referred to Lawrence P. Cohen. (Cohen, Lawrence) (Entered: 12/14/2004)
01/13/2005	•	NOTICE OF RESCHEDULING as to Eric LinoHearing on Motion for New Trial reset for 1/27/2005 02:00 PM in Courtroom 18 before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 01/13/2005)
01/25/2005	•53	MOTION to Exclude Prior Conviction for Sentencing Calculation as to Eric Lino. c/s. (Bell, Marie) (Entered: 01/27/2005)
01/27/2005	•54	Judge William G. Young : ORDER entered granting 41 Motion for Order as to Eric Lino (1) (Smith, Bonnie) (Entered: 01/31/2005)
01/27/2005	•	Electronic Clerk's Notes for proceedings held before Judge William G. Young :Hearing RE: Motion for order re: 851 notice as to Eric Lino held on 1/27/2005.After hearing order is entered. (Court Reporter WOMACK.) (Smith, Bonnie) (Entered: 01/31/2005)
02/04/2005	•55	MOTION to Exclude Prior Conviction for Sentencing calculation as to Eric Lino. (Smith, Bonnie) (Entered: 02/07/2005)
02/15/2005	•	NOTICE OF RESCHEDULING as to Eric Lino Sentencing RESET for WED 4/13/2005 02:30 PM in Courtroom 18 before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 02/15/2005)
02/22/2005	•	NOTICE OF RESCHEDULING as to Eric Lino Due to a conflict in the Court's Schedule, the sentencing for Eric Lino is reset. Sentencing RESET for MON. 4/25/2005 02:00 PM in Courtroom 18 before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 02/22/2005)
04/11/2005	•56	Opposition by USA as to Eric Lino re 55 MOTION to

		Exclude <i>Prior Conviction for Sentencing Calculation</i> (Weinreb, William) (Entered: 04/11/2005)
04/25/2005	●	Electronic Clerk's Notes for proceedings held before Judge William G. Young :Sentencing held on 4/25/2005 for Eric Lino (1), Count(s) 1s, 2s, The Court announces the Advisory Guideline calculations and hears from the government, defense counsel and the defendant. After hearing the Court imposes the sentence as follows: The defendant is committed to the custody of the BOP for 144 months on each of counts 1s and 2s, the sentence on each count to run concurrent one count with the other and concurrent with the state sentence now being served, to be followed by a term of Supervised Release of 8 years, with Special Conditions. No fine. Special Assessment of \$200. The defendant is notified of the right to appeal. The Court recommends incarceration at a facility where the defendant can get an education and participate in the 500 Hour Comprehensive Drug Treatment Program. The defendant is remanded to custody. (Court Reporter Womack.) (Smith, Bonnie) (Entered: 04/26/2005)
04/26/2005	●57	Judge William G. Young : ORDER entered. JUDGMENT as to Eric Lino (1), Count(s) 1s, 2s, The defendant is committed to the custody of the BOP for 144 months on each of counts 1s and 2s, the sentence on each count to run concurrent one count with the other and concurrent with the state sentence now being served, to be followed by a term of Supervised Release of 8 years, with Special Conditions. No fine. Special Assessment of \$200. (Smith, Bonnie) (Entered: 04/27/2005)
04/26/2005	●58	Judge William G. Young : ORDER entered. STATEMENT OF REASONS as to Eric Lino (Attachments: # 1 TRANSCRIPT) (Smith, Bonnie) (Entered: 04/27/2005)



05/02/2005	<p>59 NOTICE OF APPEAL by Eric Lino re <u>57</u> Judgment, NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov/clerks/transcript.htm">http://www.ca1.uscourts.gov/clerks/transcript.htm</a> MUST be completed and submitted to the Court of Appeals. Appeal Record due by 5/23/2005. cc/cl.(Bell, Marie) (Entered: 05/03/2005)</p>
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